

REFERENCE TITLE: property tax; leased educational property

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HCR 2021

Introduced by
Representatives Biggs: Seel

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IX,
SECTION 2, CONSTITUTION OF ARIZONA; RELATING TO PROPERTY TAX EXEMPTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona, the
2 Senate concurring:

3 1. Article IX, section 2, Constitution of Arizona, is proposed to be
4 amended as follows if approved by the voters and on proclamation of the
5 Governor:

6 2. Property subject to taxation: exemptions

7 Section 2. (1) There shall be exempt from taxation all
8 federal, state, county and municipal property.

9 (2) Property of ~~educational~~, charitable and religious
10 associations or institutions not used or held for profit may be
11 exempt from taxation by law.

12 (3) PROPERTY OWNED BY OR LEASED TO EDUCATIONAL
13 INSTITUTIONS, AND USED FOR EDUCATIONAL PURPOSES, IS EXEMPT FROM
14 TAXATION.

15 ~~(3)~~ (4) Public debts, as evidenced by the bonds of
16 Arizona, its counties, municipalities or other subdivisions,
17 shall also be exempt from taxation.

18 ~~(4)~~ (5) All household goods owned by the user thereof
19 and used solely for noncommercial purposes shall be exempt from
20 taxation, and such person entitled to such exemption shall not
21 be required to take any affirmative action to receive the
22 benefit of such exemption.

23 ~~(5)~~ (6) Stocks of raw or finished materials, unassembled
24 parts, work in process or finished products constituting the
25 inventory of a retailer or wholesaler located within the state
26 and principally engaged in the resale of such materials, parts
27 or products, whether or not for resale to the ultimate consumer,
28 shall be exempt from taxation.

29 ~~(6)~~ (7) The legislature may exempt personal property
30 that is used for agricultural purposes or in a trade or business
31 from taxation in a manner provided by law, except that the
32 exemption does not apply to any amount of the full cash value of
33 the personal property of a taxpayer that exceeds fifty thousand
34 dollars. The legislature may provide by law to increase the
35 exempt amount according to annual variations in a designated
36 national inflation index.

37 ~~(7)~~ (8) The legislature may exempt the property of
38 cemeteries that are set apart and used to inter deceased human
39 beings from taxation in a manner provided by law.

40 ~~(8)~~ (9) There shall be further exempt from taxation the
41 property of each honorably discharged airman, soldier, sailor,
42 United States marine, member of revenue marine service, the
43 coast guard, nurse corps or of any predecessor or of the
44 component of auxiliary of any thereof, resident of this state,
45 in the amount of:

1 (a) One thousand five hundred dollars if the total
2 assessment of such person does not exceed three thousand five
3 hundred dollars.

4 (b) One thousand dollars if the total assessment of such
5 person does not exceed four thousand dollars.

6 (c) Five hundred dollars if the total assessment of such
7 person does not exceed four thousand five hundred dollars.

8 (d) Two hundred fifty dollars if the total assessment of
9 such person does not exceed five thousand dollars.

10 (e) No exemption if the total assessment of such person
11 exceeds five thousand dollars.

12 No such exemption shall be made for such person unless
13 such person shall have served at least sixty days in the
14 military or naval service of the United States during World War
15 I or prior wars and shall have been a resident of this state
16 prior to September 1, 1945.

17 ~~(9)~~ (10) There shall be further exempt from taxation as
18 herein provided the property of each honorably discharged
19 airman, soldier, sailor, United States marine, member of revenue
20 marine service, the coast guard, nurse corps or of any
21 predecessor or of the component of auxiliary of any thereof,
22 resident of this state, where such person has a
23 service-connected disability as determined by the United States
24 veterans administration or its successor. No such exemption
25 shall be made for such person unless he shall have been a
26 resident of this state prior to September 1, 1945 or unless such
27 person shall have been a resident of this state for at least
28 four years prior to his original entry into service as an
29 airman, soldier, sailor, United States marine, member of revenue
30 marine service, the coast guard, nurse corps or of any
31 predecessor or of the component of auxiliary of any thereof.
32 The property of such person having a compensable
33 service-connected disability exempt from taxation as herein
34 provided shall be determined as follows:

35 (a) If such person's service-connected disability as
36 determined by the United States veterans administration or its
37 successor is sixty per cent or less, the property of such person
38 exempt from taxation shall be determined by such person's
39 percentage of disability multiplied by the assessment of such
40 person in the amount of:

41 (i) One thousand five hundred dollars if the total
42 assessment of such person does not exceed three thousand five
43 hundred dollars.

1 (ii) One thousand dollars if the total assessment of such
2 person does not exceed four thousand dollars.

3 (iii) Five hundred dollars if the total assessment of
4 such person does not exceed four thousand five hundred dollars.

5 (iv) Two hundred fifty dollars if the total assessment of
6 such person does not exceed five thousand dollars.

7 (v) No exemption if the total assessment of such person
8 exceeds five thousand dollars.

9 (b) If such person's service-connected disability as
10 determined by the United States veterans administration or its
11 successor is more than sixty per cent, the property of such
12 person exempt from taxation shall be in the amount of:

13 (i) One thousand five hundred dollars if the total
14 assessment of such person does not exceed three thousand five
15 hundred dollars.

16 (ii) One thousand dollars if the total assessment of such
17 person does not exceed four thousand dollars.

18 (iii) Five hundred dollars if the total assessment of
19 such person does not exceed four thousand five hundred dollars.

20 (iv) Two hundred fifty dollars if the total assessment of
21 such person does not exceed five thousand dollars.

22 (v) No exemption if the total assessment of such person
23 exceeds five thousand dollars.

24 ~~(10)~~ (11) There shall be further exempt from taxation
25 the property of each honorably discharged airman, soldier,
26 sailor, United States marine, member of revenue marine service,
27 the coast guard, nurse corps or of any predecessor or of the
28 component of auxiliary of any thereof, resident of this state,
29 where such person has a nonservice-connected total and permanent
30 disability, physical or mental, as so certified by the United
31 States veterans administration, or its successor, or such other
32 certification as provided by law, in the amount of:

33 (a) One thousand five hundred dollars if the total
34 assessment of such person does not exceed three thousand five
35 hundred dollars.

36 (b) One thousand dollars if the total assessment of such
37 person does not exceed four thousand dollars.

38 (c) Five hundred dollars if the total assessment of such
39 person does not exceed four thousand five hundred dollars.

40 (d) Two hundred fifty dollars if the total assessment of
41 such person does not exceed five thousand dollars.

42 (e) No exemption if the total assessment of such person
43 exceeds five thousand dollars.

1 No such exemption shall be made for such person unless he
2 shall have served at least sixty days in the military or naval
3 service of the United States during time of war after World War
4 I and shall have been a resident of this state prior to
5 September 1, 1945.

6 ~~(11)~~ (12) There shall be further exempt from taxation
7 the property of each widow, resident of this state, in the
8 amount of:

9 (a) One thousand five hundred dollars if the total
10 assessment of such widow does not exceed three thousand five
11 hundred dollars.

12 (b) One thousand dollars if the total assessment of such
13 widow does not exceed four thousand dollars.

14 (c) Five hundred dollars if the total assessment of such
15 widow does not exceed four thousand five hundred dollars.

16 (d) Two hundred fifty dollars if the total assessment of
17 such widow does not exceed five thousand dollars.

18 (e) No exemption if the total assessment of such widow
19 exceeds five thousand dollars.

20 In order to qualify for this exemption, the income from
21 all sources of such widow, together with the income from all
22 sources of all children of such widow residing with the widow in
23 her residence in the year immediately preceding the year for
24 which such widow applies for this exemption, shall not exceed:

25 1. Seven thousand dollars if none of the widow's children
26 under the age of eighteen years resided with her in such widow's
27 residence; or

28 2. Ten thousand dollars if one or more of the widow's
29 children residing with her in such widow's residence was under
30 the age of eighteen years, or was totally and permanently
31 disabled, physically or mentally, as certified by competent
32 medical authority as provided by law.

33 Such widow shall have resided with her last spouse in this
34 state at the time of the spouse's death if she was not a widow
35 and a resident of this state prior to January 1, 1969.

36 ~~(12)~~ (13) No property shall be exempt which has been
37 conveyed to evade taxation. The total exemption from taxation
38 granted to the property owned by a person who qualifies for any
39 exemption in accordance with the terms of ~~subsections (8),~~
40 **SUBSECTION (9), (10), or (11) OR (12)** shall not exceed one
41 thousand five hundred dollars. The provisions of this section
42 shall be self-executing.

1 ~~(13)~~ (14) All property in the state not exempt under the
2 laws of the United States or under this constitution or exempt
3 by law under the provisions of this section shall be subject to
4 taxation to be ascertained as provided by law.

5 2. The Secretary of State shall submit this proposition to the voters
6 at the next general election as provided by article XXI, Constitution of
7 Arizona.